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HON'BLE SRI JUSTICE P.S.NARAYANA

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WRIT PETITION No. 12019 of 2006
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ORDER :

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The writ petition is filed for a writ of Mandamus or any other appropriate writ declaring the action of the respondent in not registering the house bearing Door No.76-17-470 in Plot No.470 admeasuring 52 square yards, Urmila Subba Rao Nagar, Bhavanipuram, Vijayawada as illegal, void, arbitrary and discriminatory and pass suitable orders.

Several factual details are narrated in the affidavit filed in support of the writ petition. It is stated that a representation is said to have been made on 27-03-2006 to the respondent.

Relating to the facts stated in the affidavit filed in support of the writ petition, a counter affidavit in detail has been filed. It is stated that the petitioner had submitted his application for registration of Plot on 15-03-2004 and the local residents have submitted representation on 12-03-2004 requesting not to register the scheduled property to anybody because the vendor

Sri D.Krishna Reddy has left the town by borrowing huge debts from the locality people. It is also stated that the adjacent owner of Plot No. 471 Sri Asik Abdul Rehman filed suit O.S.No.791 of 2004 for specific performance of agreement of sale against the vendor of the petitioner and the same was decreed in his name. Several other facts also had been narrated. It is also stated in paragraph 5 of the counter affidavit that neither the allottee nor the vendor Sri Krishna Reddy has applied for registration.

In the light of several details narrated in the affidavit filed in support of the writ petition, this Court is of the considered opinion that in the facts and circumstances of the case, the petitioner be permitted to make fresh representation to the respondent within a period of two weeks from today and the respondent to consider the said representation and dispose of the same in accordance with law within four weeks thereafter.

With the above direction, the writ petition is disposed of. No order as to costs.

P.S.NARAYANA,J

Date: 19-10-2006
KLP